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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/824,621	04/02/2001	Harold Mattice	403120	1062

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SEYFARTH SHAW LLP
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EXAMINER	
COBURN, CORBETT B	
ART UNIT	PAPER NUMBER
3714	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/22/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/824,621	MATTICE ET AL.	
	Examiner	Art Unit	
	Corbett B. Coburn	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 October 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8,10 and 32-40* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8,10 and 32-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-8, 10 & 32-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luciano et al (US Patent Number 6,641,483) in view of Henry et al. (US Patent Number 5,774,058).

Claims 1, 32, 37: Luciano teaches an apparatus (Lockable Security Cabinet) for selectively controlling access to a plurality of physical areas of a gaming machine. (Abstract) Luciano teaches a plurality electrically operable lock mechanisms respectively associated with the areas and each physically movable between unlocked and locked conditions with respect to its associated area. (Col 8, 19-21 teaches electronic locks. Fig 3 teaches a plurality of locks. Locks inherently move between a locked and unlocked position.) Clearly, the data input devices for the electronic locks would be located on the gaming device. Luciano teaches that it is important that certain identified personnel have access to some but not all of the plurality of physical areas of the gaming machine. (Col 1, 42-53) Luciano fails to teach the details of the operation of electronic locks. Henry teaches these details.

Henry teaches control circuitry (Fig 5) independent of the gaming machine including a processor (58) operating under control of a stored program (Fig 6) and

coupled to each of the lock mechanisms via a communications link for controlling operation of the lock. This means that the input device is remote from the physical lock. Thus the apparatus remotely controls access. There is a data storage and retrieval system adapted to communicate with the processor and including a storage medium for storing data including personnel identification data and access authorization data indicative of the areas if any, of the machine for which a person seeking access to the machine is authorized. There is a data input device (keyboard – Fig 14) coupled to the processor for inputting at least personnel identification data (pin – Fig 10) identifying a person seeking access to an area of the machine. (Col 3, 22-24) The processor is responsive to compare personal identification data inputted by the user with data stored on the storage media for operating one or more lock mechanisms (Abstract) in accordance with access authorization corresponding to an identified person. (Fig 10) Clearly, a user may access one or more physical areas (i.e., a plurality of physical areas) of the machine without having access to all areas. The processor causes the lock mechanism of the physical areas to which access is authorized to move to the unlocked position to allow access to those physical areas – this is how all electronic locks work. (See Summary of the Invention for more information.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Luciano in view of Henry to include the circuitry and programming described in Henry in order to carry out Luciano's suggestion to use electronic locks. The method of use is rendered obvious by the structure. Clearly a system that may be used on a single system may be used on a plurality of systems.

Claims 2, 4: Henry's data input device includes a keypad (Col 3, 25-27 & Fig 2, 22).

Claims 3, 33: Henry's data input device includes a key reader, which is essentially a card reader (the key stores information about the user – just like a card), the data storage and retrieval system including a personal data card assigned to a person seeking access to the machine and readable by the card reader. (Col 3, 11-14)

Claim 5: Luciano teaches one or more doors respectively associated with one or more areas and respectively provided with lock mechanisms, each door being movable between open and closed conditions. (Fig 3)

Claim 6: Each of Luciano's lock mechanisms directly controls access to its associated area.

Claim 7: Each door includes a manual latch, the lock mechanism for a door indirectly controlling access to the associated area by controlling enablement and disablement of the manual latch. This is how locks work. The lock mechanism (443) controls the enablement and disablement of a manual latch (locking tab 452). The locking tab actually holds the door shut – not the lock itself.

Claims 8, 35: Henry teaches a sensing apparatus for sensing the condition of each door and each lock mechanism. (Col 4, 49-52)

Claim 34: Henry teaches a remote control apparatus in communication with the processor for control thereof from a remote location. The keyboard is a remote control apparatus that controls the processor from a location remote from the processor. The processor is remote from the locks.

Claim 10: Luciano teaches that at least one area includes a switch (242, etc), the associated lock mechanism enabling and disabling the switch. (Col 5, 50-54)

Claim 36: Henry teaches providing a manual override key for each lock mechanism and providing an indication when a lock mechanism has been manually operated. (Table 3)

Claims 38-40: Henry's lock has a solenoid with a plunger. (See discussion of Fig 5, 78.) The plunger opens and closes to allow access.

Response to Arguments

3. Applicant's arguments with respect to claims 18-, 10 & 32-37 have been considered but are moot in view of the new ground(s) of rejection.

Examiner's Comments

4. As Applicant is no doubt aware, pendency is a significant issue facing the Patent community. All of those involved have a responsibility to reduce pendency. This includes Applicant. This is the third RCE that Applicant has filed. These RCEs increase pendency and in this case do nothing whatsoever to advance prosecution.

5. Luciano teaches the basic concept of Applicant's invention. It teaches a slot machine cabinet with access to various areas controlled by separate locks. It teaches that it is important to limit access to certain areas to certain people while others have access to other areas. Luciano also teaches use of electronic locks. In short, Luciano teaches Applicant's invention – except for the details of the locks.

6. It is not inventive to combine Luciano's slot machine cabinet/security system with a prior art electronic lock. This is true whether Applicant bought an electronic lock system "off the shelf" (as Examiner strongly suspects) or if Applicant built the lock "from scratch". If the

Applicant bought an electronic lock system, then clearly, he did not invent the lock in question. He is not entitled to a patent on features he did not invent.

7. If, on the other hand, Applicant built the lock from scratch, there is an entire subclass devoted to the type of lock Applicant is describing in the claims. If Applicant has actually invented a new feature for electronic locks, then certainly Applicant is entitled to a patent on this feature. If Applicant believes he has invented a new feature for electronic locks, Examiner strongly urges Applicant to study class 70/264 and related subclasses in order to better distinguish over the prior art.

8. Should Applicant choose to file another RCE on this application, please include any operation manuals or literature on any lock system that Applicant may have bought to implement his invention. Clearly, such information is material to the patentability of Applicant's invention.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. This is an RCE of applicant's earlier Application No. 09/824,621. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

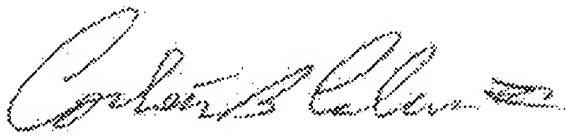
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Applicant amended the claims to read on art that was of record. The newly added claims merely added structure that is inherent in all electronic locks. Thus the amendment does not represent a *bona fide* attempt to advance prosecution.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corbett B. Coburn whose telephone number is (571) 272-4447. The examiner can normally be reached on 8-5:30, Monday-Friday, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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